

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

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In re:

Don Hancock,

Respondent

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HPA Docket No. 05-0001

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Consent Decision As to Don Hancock

This proceeding was instituted under the Horse Protection Act ("Act"), as amended (15 U.S.C. § 1821 et seq.), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the respondent violated the Act. This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

Respondent Don Hancock admits the jurisdictional allegations in paragraph I of the complaint and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, waives oral hearing and further procedure, and consents and agrees, for the purpose of settling this proceeding and for such purpose only, to the entry of this decision.

The complainant agrees to the entry of this decision.

Findings of Fact

1. Respondent Don Hancock is an individual whose mailing address is 11900 Highway 62 West, Princeton, Kentucky 42445. At all times material herein, respondent Don Hancock was the owner of the horse called "The Score Is Rising".

2. Respondent Don Hancock on or about March 23, 2002, entered and allowed the entry of "The Score Is Rising" as entry number 519 in class number 59 at the 34th Annual National

Walking Horse Trainers Show in Shelbyville, Tennessee (the "Trainers Show"), for the purpose of showing or exhibiting the horse in that show.

Conclusions

Respondent Don Hancock having admitted the jurisdictional facts as they pertain to him and the parties having agreed to the entry of this decision, such decision will be entered.

Order

1. Respondent Don Hancock is assessed a civil penalty of \$1,100.00
2. Respondent Don Hancock is disqualified for an uninterrupted period of one year from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating in any horse show, horse exhibition, or horse sale or auction. For the purposes of this Order, "participating" means engaging in any activity beyond that of a spectator and includes, without limitation, transporting or arranging for the transportation of horses to or from equine events, personally giving instructions to exhibitors, being present in the warm-up or inspection areas, or in any area where spectators are not allowed, and financing the participation of others in equine events. Jurisdiction is retained for the limited purpose of enforcement of this paragraph. The disqualification shall continue until the civil penalty is paid in full.

This order shall have the same effect as if entered after a full hearing and shall become effective on the first day after service of this decision on the respondent.

Copies of this decision shall be served upon the parties.

[REDACTED]

Don Hancock
Respondent

[REDACTED]

Marc Wells
Attorney for Respondent

[REDACTED]

Sharlene Deskins
Attorney for Complainant

Done at Washington, D.C.
this 4 day of June, 2008 ⁷ JSC

[REDACTED]

Jill S. Clifton
Administrative Law Judge